

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION**

WRIT PETITION NO.2907 OF 1998

Sau. Manda Jayram Pawar ..Petitioner

Vs.

The State of Maharashtra & Anr. ..Respondents

None for Petitioner

Mr.C.R.Sonawane, A.G.P. for Respondent no.1

CORAM: F.I. REBELLO &

S.P. KUKDAY, JJ.

DATE: 3RD FEBRUARY, 2005.

P.C.

. When the matter is called out none present for the petitioner. We find in the roznama that the matter was admitted, statement made on behalf of respondent no.2 was recorded and it reads as under :

. " Shri More appearing for respondent no.2 makes a statement that as and when vacancy of safai kamgar arises, petitioner's claim will be considered on merits in accordance with law. Statement accepted."

2. It is thus clear that the Commissioner, Nashik Municipal Corporation on behalf of whom the statement was made had agreed to consider the petitioner's case. We are unaware of the position as to what has happened thereafter as none present for the petitioner. Even otherwise the respondent

will be bound by the statement which was made and accepted by this Court. In the light of that if the petitioner has not yet been appointed, Rule made absolute in terms of the statement made and recorded by this Court on behalf of respondent no.2.

(F.I.REBELLO, J.)

(S.P. KUKDAY, J.)